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9 UNITED STATES DISTRICT COURT  
10 WESTERN DISTRICT OF WASHINGTON

11 BARRY KIRCHER,

Civil No. 2:08-CV-1061-CRD

12 Plaintiff,

13 vs.

ORDER FOR REMAND

14 MICHAEL J. ASTRUE,  
15 Commissioner of Social Security,

16 Defendant.

17 The COURT, upon review of the record herein, and noting the stipulation of the parties,  
18 does hereby ORDER:

19 The above-captioned case is reversed and remanded to the Commissioner of Social  
20 Security (Commissioner) for further administrative proceedings under sentence four of 42 U.S.C.  
21 Section 405(g).  
22

23 On remand, the case will be remanded to an Administrative Law Judge for further  
24 proceedings, to include a new hearing, consideration of the opinion evidence of record and  
25 further consideration of the nature and severity of the plaintiff's impairments during the period at  
26

1 issue. Evidence will be obtained from a medical expert to assist in evaluating same. If  
2 necessary, consideration will be given to the materiality of substance abuse.

3 DATED this 20th day of January, 2009.

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8 Carolyn R. Dimmick  
9 United States District Judge

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14 Presentd by:

15 s/ TERRY E. SHEA, WSB # 27609  
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17 Attorney for Defendant  
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